

RESOLUTION 20-19
THE TOWN OF FOREST HEIGHTS

A RESOLUTION APPROVING A STATE PLAN OF OPERATION BETWEEN THE STATE OF MARYLAND AND THE FOREST HEIGHTS POLICE DEPARTMENT TO ALLOW THE U.S. SECRETARY OF DEFENSE TO CONDITIONALLY TRANSFER CERTAIN PERSONAL PROPERTY DETERMINED AS SUITABLE FOR USE IN CERTAIN LAW ENFORCEMENT ACTIVITIES TO THE POLICE DEPARTMENT; AND AUTHORIZING THE CHIEF OF POLICE TO ENTER INTO SUCH AGREEMENT ON BEHALF OF THE TOWN'S GOVERNING BODY

Introduced By: Councilman Calvin Washington

WHEREAS, the Town Council has authority to approve contracts and procurements pursuant to the Town Charter, Section 33-63, and Town Code, Section 20.4; and

WHEREAS, pursuant to the Town Charter, Section 33-20(b)(11), the Town Council has authority to make agreements with other municipalities, counties, and governmental authorities for the joint performance of or for cooperation in the performance of any governmental functions; and

WHEREAS, pursuant to the Town Charter, Section 33-80, the Town may acquire real, personal, or mixed property for any public purpose by purchase, gift, bequest, devise, lease, condemnation, or otherwise and may sell, lease, or otherwise dispose of any property belonging to the Town; and

WHEREAS, pursuant to 10 U.S. Code, § 2576, the Secretary of Defense, under regulations prescribed by him, may sell to State and local law enforcement, firefighting, homeland security, and emergency management agencies, at fair market value, pistols, revolvers, shotguns, rifles of a caliber not exceeding .30, ammunition for such firearms, gas masks, personal protective equipment, and other appropriate equipment which (1) are suitable for use by such agencies in carrying out law enforcement, firefighting, homeland security, and emergency management activities, and (2) have been determined to be surplus property pursuant to federal law; and

WHEREAS, the Mayor and Council find that this program is known as the Law Enforcement Support Program and commonly referred to as the "LESO Program" and that requisitions cover the gamut of items used by America's military including clothing, tools, rescue equipment, vehicles, rifles, and other small arms and that of all the excess equipment provided through the LESO Program, only five percent are small arms and less than one percent are tactical vehicles; and more than 7,000 law enforcement agencies nationwide have enrolled in the LESO program.

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby approves the State Plan of Operation ("SPO") Between the State of Maryland and the Forest Heights Police

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Department, attached hereto and incorporated by reference herein, according to the terms and conditions stated therein; and

AND BE IT FURTHER RESOLVED, that the Chief of Police may sign said SPO and the associated application forms and any related documents consistent with the terms and conditions agreed upon by the parties and this Resolution; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage.

PASSED this 17th day of April 2019.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

MUHAMMAD

Yea

KENNEDY II

Yea

NOBLE

Yea

BARNES

Yea

HINES

Yea

WASHINGTON

Yea

MANN

Yea

ATTEST:

THE MAYOR AND COUNCIL OF THE TOWN
OF FOREST HEIGHTS, MARYLAND

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk

SIGNATURE ON FILE

By: Habeeb-Ullah Muhammad, Mayor

SIGNATURE ON FILE

By: Calvin Washington, Council President

CERTIFICATION

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I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 17 day of April 2019 with 7 Aye votes and 0 Nay votes the aforesaid Resolution 20-19 passed.

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk

Exhibit A - (State Plan of Operation ("SPO") Between State of Maryland and the Forest Heights Police Department)